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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,030	09/18/2003	Gary T. Cunkelman	00-1-220DIV	9132

7590 03/25/2004

OSRAM SYLVANIA Inc.
100 Endicott Street
Danvers, MA 01923

EXAMINER

COLON, GERMAN

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action SummaryApplication No. **10/667,030**

Applicant(s)

CUNKELMAN ET AL.

Examiner

German Colón

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-12 and 19-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-12 and 19-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Pre-Amendment

1. The Preliminary Amendment, filed on September 18, 2003, has been entered and acknowledged by the Examiner.
2. Cancellation of claims 1-7 and 13-18 has been entered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 8 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Evans (US 3,602,759).

Regarding claim 8, Evans discloses a method for attaching a base member to an end of a fluorescent lamp glass envelope, the method comprising the steps of:

providing an annular end portion on an external wall portion of the glass envelope (see Fig. 1);

pressing a base shell member **18** of a cup-shape configuration onto the end portion of the envelope;

applying a collar of shrink wrap material **22 (a,b,c)** to the envelope end portion and the base shell member (see Figs. 1, 5 and 6); and

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shrinking the collar to compress against the envelope end portion and the base shell member (see Col. 3, lines 6-11, and Col. 5, lines 65-71).

Regarding claim 11, Evans discloses shrinking the collar comprises applying heat to the collar to heat shrink the collar (see Col. 3, line 12, and Col. 6, lines 1-3).

5. Claims 8, 9, 11, 19, 21 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Sica (US 5,536,998).

Referring to 8, Sica discloses a method for attaching a base member to an end of a fluorescent lamp glass envelope, the method comprising the steps of:

providing an annular end portion on an external wall portion of the glass envelope (see Fig.);

pressing a base shell member **14** of a cup-shape configuration onto the end portion of the envelope;

applying a collar of shrink wrap material **20** to the envelope end portion and the base shell member (see Col. 2, lines 39-44); and

shrinking the collar to compress against the envelope end portion and the base shell member.

Referring to claim 9, Sica discloses the step of providing an adhesive **24 (22)** on an interior surface of the collar.

Referring to claim 11, Sica discloses shrinking the collar comprises applying heat to the collar to heat-shrink the collar (see Col. 2, line 42, and col. 4, line 5).

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In regards to claim 19, Sica discloses a method for attaching a base member to an end of a fluorescent lamp glass envelope, the method comprising the steps of:

providing an annular end portion on an external wall portion of the glass envelope (see Fig.);

pressing a base shell member 14 of a cup-shape configuration onto the end portion of the envelope;

applying a collar of wrap material 20 to the envelope end portion and the base shell member, the wrap material having a layer of adhesive 24 (22) on an interior surface thereof.

Regarding claim 21, Sica discloses the collar being of a shrink wrap material, and the method comprises a further step of shrinking the collar onto the envelope end portion and the base shell member.

Regarding claim 23, claim 23 is rejected over the reasons stated in the rejection of claim 11.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 10, 12, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sica (US 5,536,998) in view of Schaeffer et al. (US 4,276,102).

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Referring to claim 10, Sica discloses the claimed invention except for the limitation of “the adhesive being a curable adhesive, the method including a step of curing the adhesive”.

However, Schaeffer discloses the desirability of using a heat-curable adhesive with a heat-shrinkable wrap material in order to, with a simple heating process, melt the adhesive, cure it and shrink the heat-shrinkable wrap, while increasing the surface area in contact with the adhesive (see Col. 1, lines 34-44, and Col. 4, lines 1-7). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a heat-curable adhesive as the adhesive of Sica, with the purpose of simplifying manufacture by melting the adhesive, curing it and shrinking the heat-shrinkable wrap on a single heating process. Further, it has been held to be within the general skills of an artisan to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

Referring to claim 12, Sica-Schaeffer discloses the adhesive being cured by the application of heat and the collar being shrunk by the application of heat.

In regards to claims 20 and 22, claims 20 and 22 are rejected over the reasons stated in the rejection of claims 10 and 12, respectively.

Prior Art of Record

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Nolan et al. (US 4,804,886) discloses a method of making an electric lamp which reads on at least claim 8.

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Asada (JP 59-186227) discloses a fluorescent lamp comprising a heat-shrunk wrap material.

Bock (US 6,406,167) discloses a method for affixing a cover guard to a fluorescent lamp comprising a shrink wrap material.

Sica (US 5,173,637 and US 6,078,136) discloses a method of making a fluorescent lamp which reads on at least claims 8 and 19.

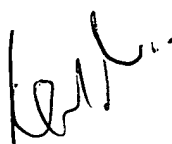
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to German Colón whose telephone number is 571-272-2451. The examiner can normally be reached on Monday thru Thursday, from 8:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


gc


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